

Administrative Policy 9-5

Memorials and Tributes on City Property or in City Parks

SUBJECT: Memorials and Tributes on City Property or within City Parks.

PURPOSE: The purpose of this policy is to establish guidelines, standards, and procedures for the installation and care of donated park improvements, either as a result of a cash or physical property donation. These donations may include, but are not limited to, park benches, bicycle racks, picnic tables, statues, monuments, gardens, fountains, pavilions, trees, flags, and other types of memorials to be located upon property maintained by the City of Lawton. For the purposes of this policy, monuments, memorials, and other types of permanent tributes will hereinafter be referred to as memorials.

BACKGROUND: The City of Lawton, Parks and Recreation Department, has received requests from private citizens and private civic organizations for the approval of memorials to be placed on City of Lawton property or within City parks. In the past, these requests have been reviewed on a case-by-case basis. A written policy is needed to establish an approval process and technical standards as to the placement, size, and materials for memorials.

DEFINITIONS:

Flag – most commonly, a piece of cloth having a distinctive size, color, and design used for a symbol, standard, signal, or related representation. This is inclusive of flags of any kind including cloth, metal, paper, or any other material.

Landscape features – memorials/monuments may also take the form of landscape features, such as water fountains and trees for areas of the City that can be enhanced, redeveloped, or reclaimed through the use of donor funds or bequests in commemoration of a person, event, or place as applicable.

Memorial – a statement/object/landscape feature intended to honor an individual, a group of individuals, or an event of historical significance.

Dedicated Benches – a long seat for several people, typically made using wood, metal, or stone, redeveloped, or reclaimed, using donor funds or bequests in commemoration of a person, event, or place as applicable.

POLICY/PROCEDURES:

1. Memorial Standards
 - a. Designated Areas for Memorials.
 - i. Elmer Thomas Park - the attached map shows the area that has been designated for memorials and tributes. The primary area is referred to as Memorial Lane. The secondary area is referred to as Lake Helen Memorial Way.
 - ii. Other property maintained or owned by the City of Lawton.

- b. Size
 - i. Maximum height is twenty-five (25) feet at its highest point. The distance will be measured vertically from the ground to the top of the memorial.
 - ii. Maximum width is twenty (20) feet at its widest point in any horizontal direction.
 - iii. When possible, the memorial shall be placed upon a twenty-five (25) foot diameter circular concrete pad that can be edged or trimmed up against that will not cause damage to the memorial.
 - iv. The proposed memorial shall not be closer than twenty-five (25) feet to an existing memorial.
- c. Materials/Colors
 - i. The memorial shall be made of durable materials that will resist weather affects and erosion. The memorial should be able to be maintained with little to no regular upkeep.
 - ii. Materials used shall harmonize with the surrounding area.
 - iii. Colors of the memorial shall harmonize with the surrounding area.
- d. Utilities
 - i. The applicant shall have sole responsibility for the cost for installation, maintenance, and for utilities needed to enhance the aesthetic value of the memorial.
- e. Maintenance of Memorial
 - i. Memorials not located upon the above-mentioned concrete pad shall have a hard and permanent perimeter, such as a curb, that can be edged or trimmed up against that will not cause damage to the memorial.
 - ii. Any plantings shall be contained within a bed or like structure, whether at grade or above ground, that can be edged or trimmed that will not cause damage to the memorial.
 - iii. Future maintenance of the memorial shall be considered when approving a request.
- 2. Procedure for Donating
 - a. An application for a memorial shall be submitted to the City of Lawton Parks and Recreation Department Director.
 - b. The application shall include the purpose for the memorial, size, materials to be used, colors, location, utilities if desired, and be accompanied by drawings that are to scale and/or any renderings that accurately depict what the final memorial will look like once installed, a site plan showing the proposed location of the memorial, and the scope of work, if applicable.
- 3. Memorial Approval Process
 - a. After the Parks and Recreation Department Director receives a completed application, the application will be reviewed by the Parks and Recreation Department within thirty (30) working days and the Director shall determine if the memorial complies with this policy.
 - b. Once the Director determines the memorial complies with the policy, the Parks and Recreation Department shall send the completed application to the Planning Department, who will then place the application request on the next regularly scheduled City Planning Commission (CPC) meeting for inspection, report, and

review. The CPC will thereafter make a recommendation on whether to recommend approval to the City Council.

- c. After review at the CPC, the Parks and Recreation Department staff will place the request on the agenda of the next regularly scheduled City Council Meeting for their consideration.
- d. The City Council will have final approval authority over every application received. The City Council will approve those memorials that Council deems appropriate for the location in question based on aesthetics, history, local culture, and the number of memorials in the immediate vicinity. All applications approved by the Council will comport with the image the City wishes to project to park visitors.
- e. Memorials designed to acknowledge and preserve the memory of individuals and groups will be considered by the City Council based on the proposed honorees' active involvement in and/or his or her outstanding service to the nation, state, or local community. Applications for consideration should specifically state the accomplishments upon which the memorial request is based. For memorials honoring recent decedents, the Council may impose a waiting period prior to the approval of any proposed memorial if they are so inclined.
- f. After the City Council has approved or denied said request, the Parks and Recreation staff will then contact the applicant and inform them of the City Council's decision.
- g. Prior to the construction and placement of the memorial, the area shall be staked and the location approved by the Parks and Recreation Department Director, in accordance with the approved request.
- h. Compliance with all applicable state law and city code is required. Any license or permit needed shall be acquired by the applicant prior to submission of the request to the City of Lawton. Any contractor performing work on said memorial must be licensed by the City of Lawton.
- i. Prior to any digging, construction, or placement of the memorial, applicant shall request that all existing utilities be located and marked to prevent damage.
- j. Any new utilities that have been approved and are desired shall be installed by a licensed contractor in the relevant trade and funded as part of the project's budget.
- k. Inspections are required for any utility work performed.
- l. The applicant shall request a final inspection of the memorial to be conducted by the Parks and Recreation Department to verify that the memorial has met all standards and requirements.
- m. Notwithstanding the permanent nature of the memorials contemplated by this policy, the Lawton City Council maintains continuing control and authority over the memorials described herein. The Council reserves the right, in its sole discretion, to relocate, decommission, or remove entirely a previously authorized memorial.

REFERENCES: See Okla. Stat. tit. 11, §§ 45-101 *et seq.*; Lawton City Charter § C-1-1 *et seq.*; Lawton City Code, Chapter 2, 2-3-2-311 *et seq.*; *Rust v. Sullivan*, 500 US 173, (1991);

Johanns v. Livestock Marketing Association, 544 US 550 (2005); *Pleasant Grove City v. Summum*, 555 US 460 (2009); *See also* Okla. Stat. tit. 69 § 1600 *et. seq.*

EFFECTIVE DATE: This 26th day of April, 2022

RESPONSIBLE DEPARTMENT: Parks and Recreation & City Planning



Michael Cleghorn, City Manager

Attachment: Memorial Request Form



Memorial Request Application

Parks and Recreation Department
1405 SW 11th Street, Lawton, Oklahoma 73501
(580) 581-3400

Applicant: _____

Contact Person: _____

Contact Phone Number: _____

Purpose or Reason for the Memorial: _____

Size of Memorial: _____ Shape: _____

Materials to be Used: _____

Colors of Memorial: _____

Will Memorial require the use of Utilities? ☐ YES Type: _____

☐ NO

The following items shall accompany request:

☐ Drawings to Scale of the Memorial

☐ Site Plan/Location Map

☐ Project Scope of Work

☐ Construction Plans, if applicable

☐ Memorial Renderings, if available

APPLICANTS: YOUR SIGNIATURE BELOW INDICATES ACKNOWLEDGEMENT OF CITY OF LAWTON ADMINISTRATIVE POLICY 9-5, MEMORIALS AND TRIBUTES ON CITY PROPERTY OR IN CITY PARKS.

Applicant Signature

Date

STAFF PURPOSES ONLY:

Date of CPC Meeting _____

☐ Approved

☐ Denied

Date of CC Meeting _____

☐ Approved

☐ Denied